

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Basheer et al.

Confirmation No.: 5102

Application No.: 10/700,320

Attorney Docket No: 7640-X03-012

Filed: November 3, 2003

Group Art Unit: 1621

For: PROCESS FOR THE PRODUCTION OF
PHOSPHOLIPIDS

Examiner: Deborah D Carr

**REQUEST FOR APPLICATION OF
PREVIOUSLY SUBMITTED ISSUE AND PUBLICATION FEES**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As set forth below, Applicants request application of previously paid issue and publication fees in accordance with the provisions of MPEP 1308.01.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to:

Fax # (571) 273-8300

COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313

ATTENTION EXAMINER D. Carr

On February 9, 2006

Angella Johnson

Name of Person Transmitting Facsimile

Signature of Person Transmitting Facsimile



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In response to a Notice of Allowance and Fees Due mailed March 24, 2005, Applicants submitted a completed form PTOL-85 via facsimile on May 18, 2005. As Applicants asserted a claim for small entity status, an issue fee of \$700, a publication fee of \$300, and a soft copy charge of \$15 (for 5 copies) accompanied the completed form. A copy of this form indicating receipt of these fees and charges is enclosed.

However, an Office Action was mailed on July 13, 2005, i.e. after payment of these fees and charges, in which the allowability of all claims was withdrawn. Applicants timely responded and a second Notice of Allowance and Fees Due was mailed December 1, 2005. This second Notice of Allowance and Fees Due did not properly reflect credit for the previously paid fees and charges and also did not properly reflect the previously asserted claim for small entity status.

Accordingly, Applicants respectfully request that the previously paid fees and charges be applied under the provisions of MPEP 1308.01 and submit concurrently herewith a completed form PTOL-85 indicated that no fees are due.

In light of the foregoing remarks, early passage of this case to issue is respectfully requested. If any questions remain regarding this application, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

No fee is believed to be due. However, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7640-X03-012).

Respectfully submitted,

Paul D. Bianco
FOR *PAUL D. BIANCO* Reg # 43,500
Martin Fleit, Reg. # 16,900

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